

IN THE UNITED STATES BANKRUPTCY COURT  
District of Puerto Rico

In the Matter of:

JUAN OMAR ALVAREZ BERRIOS  
AILYN YADIRA ROSARIO RESTO

Debtor(s)

Case No. 13-05014 MCF

Chapter 13

**OPPOSITION TO DISMISSAL**

**TO THE HONORABLE COURT:**

The undersigned, attorney for the above-named debtor, notifies the Court as follows,

1. The trustee filed a Motion to dismiss present case alleging that debtors did not submit evidence of their 1040PR tax returns as it was remarked in the minutes of the 341 Meeting of Creditors. In the applicable part the Minutes reads:

**Debtor must submit evidence of filing 1040PR tax returns for 2009-2012.**

The truth is that the account transcripts from IRS related to debtors' account was uploaded to the trustee on August 1, several days before the motion to dismiss was filed. (Please refer to the confirmation receipt generated by the trustee's website that continues after this motion).

2. According to the transcript debtors did not owe money to IRS during years 2009 and 2012 (in 2012 he was working for an employer). Assessment for year 2010 reflected a tax obligation of \$676.42 and for year 2011 a tax obligation of \$5,223.59 for a total owed of \$5,900.01.

**WHEREFORE**, we respectfully request from this Honorable Court to take notice of the informed above and deny motion to dismiss.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY**, that on this same date a true and exact copy of the foregoing has been filed with the Clerk of the Court that will be notified to the Chapter 13 Trustee José R. Carrión Morales using the Court's CM/ECF system.

In Vega Baja, Puerto Rico, on this August 8, 2013

s/ Juan O. Calderon Lithgow  
**JUAN O. CALDERON LITHGOW**  
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## TRUSTEE ELECTRONIC DOCUMENT FILING APPLICATION (TEDFA)

José R. Carrión-Morales, Esq.



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Juan O. Calderon Lithgow – Law Offices [Sign out](#)

1305014

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Case Code	Debtor1	Debtor2	Lawyer
1305014	JUAN OMAR ALVAREZ BERRIOS	ALYN YADIRA ROSARIO RESTO	JUAN O CALDERON LITHGOW

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Group - 341 and Pre-Confirmation Documents

Document Type: Taxes - Other Tax Returns - FICA, FUTA, CRIM, IVU etc.

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1305014	Group - 341 and Pre-Confirmation Documents	Taxes - Other Tax Returns - FICA, FUTA, CRIM, IVU etc.	AJ2967-ACCOUNT TRANSCRIPT 2009, 2010,2011.pdf	91791

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